

Remarks

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding amendments and the following remarks.

Claims 1-20 are pending in the application, of which claims 1, 3, 7, 10, 12, 14 & 17 are independent claims and claims 2, 4-6, 8-9, 11, 13, 15-16 & 18-20 are dependent claims. Claims 2, 10-14 & 17 have been amended. Each amendment is believed to be supported within the specification as originally filed and Applicants respectfully assert that no new matter has been presented by any amendments herein.

Claim Rejections – 35 USC § 112

Concerning Items 2 & 3 of the subject action, the Examiner rejects claim 2 under 35 U.S.C. § 112 as failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Examiner specifically objects to the phrase "wherein the method presents an interface with a planning the period" as being unclear whether this refers to the first or second interface described in claim 1. Applicants have herein amended claim 2 to clarify "wherein the first interface includes a planning the period." Applicants respectfully assert that this amendment adequately addresses this rejection and request withdrawal of the § 112 rejection.

Claim Rejections – 35 USC § 102

Concerning Items 4 & 5 of the subject action, the Examiner rejects claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by Marpe et al. (U.S. Patent No. 6,671,692, hereinafter Marpe).

Independent Claim 1

Claim 1 recites, in part, "a first interface adapted to allow a user to plan a project with a resource management capability and a time management capability." The Examiner rejects claim 1 over Marpe's disclosure of an "Executive Dashboard" that includes key milestones in a merger process. *See Marpe*, col. 18, line 62.

Concerning the "Executive Dashboard," the Examiner states that it "allows users to plan milestones according to time and resources." *Subject action*, p. 3. Upon a reading of Marpe, it appears to Applicants that the "Executive Dashboard" of Marpe allows creation, editing, and displaying of key milestones. Accordingly, Marpe appears to disclose the capability of a text-box wherein a user could place whatever text he likes. The text box may be specifically intended to contain key milestones, but there appears to be no disclosure in Marpe that urges the user toward assigning resources or deadlines in the text box.

Further, concerning the "Executive Dashboard" of Marpe, Marpe discloses that the "Executive Dashboard:"

Provides interested parties a single checkpoint area to understand the current state of the merger. Executives must be able to identify and track realized benefits as well as issues securely and quickly. The Executive Dashboard is a consolidated tool that provides a means for executives to access key information in a quick and illustrated manner. *Marpe*, col. 18, lines 26-31.

Marpe goes on to disclose that "the Executive Dashboard is a report in and of itself" (*Marpe*, col. 19, line 62). Accordingly, the "Executive Dashboard" is understood to be primarily

a reporting tool that allows editing of key milestones, but not understood by Applicants to be a project planning tool with time and resource management capabilities.

Applicants respectfully submit that Marpe's "Executive Dashboard" provides a report on the existence and status of key milestones, but that "a resource management capability and a time management capability" as claimed in claim 1 would require more than is disclosed in Marpe. Specifically, Marpe is not understood by Applicants to disclose a tool that assists in defining what the milestones should be, choosing what resources to assign, selecting when tasks should be completed, nor detecting and displaying interdependencies between tasks.

Accordingly, the applicants contend that Marpe's disclosure of an "Executive Dashboard" does not disclose an "interface adapted to allow a user to plan a project with a resource management capability and a time management capability" as claimed in applicants' claim 1. Accordingly, applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 1 as Marpe fails to disclose each and every element of the applicants' claimed invention. Therefore, applicants respectfully submit that independent claim 1 is patentable over Marpe. Further, as dependent claim 2 properly depends upon claim 1, a patentable base claim, the Applicants respectfully assert that dependent claim 2 is also patentable. Accordingly, Applicants respectfully request withdrawal of the § 102 rejection of claims 1 and 2.

Independent Claim 3

The Examiner has also rejected independent claim 3 over Marpe. Independent claim 3 recites, in part, "a search query interface adapted to search for terms related to one of the organizations...." The Examiner relies upon search capabilities at various interfaces of Marpe to

reject claim 3, and specifically upon a search capability within an "Issue Management" application. *Subject action*, p. 4.

Upon a reading of Marpe, it appears to Applicants that Marpe's disclosure of search capability is directed at searching within databases that hold specific types of information. For instance, within the "Issue Management" application, Marpe provides a search functionality that "allows the user to search for an issue in the ISSUES database..." (*Marpe*, col. 35, lines 13-14). Marpe does not appear to disclose any search capability specifically directed to "terms related to one of the organizations." Applicants respectfully submit that the ability to enter a term and have a search return only matches related to one of the organizations is a useful feature that appears not to be disclosed in Marpe.

Accordingly, Applicants respectfully assert that Marpe's disclosure of search capabilities does not include functionality that allows a general search for "terms related to one of the organizations" as claimed in Applicants' claim 3. Accordingly, Applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 3 as Marpe fails to disclose each and every element of Applicants' claimed invention. Therefore, Applicants respectfully submit that independent claim 3 is patentable over Marpe. Further, as dependent claims 4-6 each properly depend (either directly or indirectly) upon claim 3, a patentable base claim, Applicants respectfully assert that dependent claims 4-6 are also patentable. Applicants respectfully requests withdrawal of the § 102 rejections of claims 3-6.

Independent Claim 7

The Examiner has also rejected independent claim 7 over Marpe. Independent claim 7 recites, in part, "a first collaborative user interface for the first organization; and a second

collaborative user interface for the second organization" and the ability to "track a status of employee movements in the first organization." The Examiner relies upon two separate interfaces disclosed in Marpe, an "Issue Management" interface and an "Executive Dashboard" as being equivalent to the two claimed collaborative user interfaces of the subject application.

Upon a reading of Marpe, Marpe does not appear to disclose a collaborative capability of both of the "Issue Management" interface and the "Executive Dashboard" interface, nor does Marpe appear to disclose a capability specifically directed at tracking the status of employee movements. Further, Marpe's two interfaces (the "Issue Management" interface and the "Executive Dashboard" interface) are not understood by applicants to each be directed at one of two organizations.

Marpe discloses that the "Executive Dashboard" reports the progress of various "projects" (*Marpe*, col. 18, line 44) and that at least one of the projects is "Employee" (*Marpe*, col. 18, line 66). Marpe does not appear to disclose, however, the details of what the "Employee" project entails and therefore does not disclose a capability specifically directed at tracking the status of employee movements generally, nor specifically within one or the other organization as claimed by the subject application. Additionally, Marpe's "Issue Management" interface does not appear to disclose any functionality directed at employee tracking. Accordingly, Applicants respectfully submit that Marpe does not disclose the ability to "track a status of employee movements in the first organization" as claimed in applicants' claim 7.

Further, independent claim 7 requires two collaborative user interfaces, one for each of two organizations, and contemplates two similar, if not identical, interfaces (*see subject application*, FIG. 6 & Paragraph [0075]) each directed at one of two organizations. The two interfaces disclosed in Marpe and relied on by the Examiner are not individually directed at two

organizations, and rather appear to Applicants to be directed at the internal planning and/or management of a merger from within one organization. Accordingly, Marpe is not understood by Applicants to disclose interfaces equivalent to those claimed in the subject application.

Accordingly, Applicants respectfully assert that Marpe's disclosure of an "Issue Management" interface and an "Executive Dashboard" are not "a first collaborative user interface for the first organization; and a second collaborative user interface for the second organization" with the ability to "track a status of employee movements in the first organization" as claimed in Applicants' independent claim 7. Accordingly, Applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 7 as Marpe fails to disclose each and every element of Applicants' claimed invention. Therefore, Applicants respectfully submit that independent claim 7 is patentable over Marpe. Further, as dependent claims 8-9 each properly depend upon claim 7, a patentable base claim, Applicants respectfully assert that dependent claims 8-9 are also patentable. Applicants respectfully request withdrawal of the § 102 rejections of claims 7-9.

Independent Claim 10

The Examiner has also rejected independent claim 10 and dependent claim 11 over Marpe. Independent claim 10 recites, in part, a "collaborative interface for one or more stakeholders" and dependent claim 11 contemplates that the collaborative interface "comprises ... a personalized ... interface." The Examiner rejects claim 11 and relies upon an issue report interface in Marpe that Examiner asserts "can be personalized." See *subject action*, p. 7 (citing *Marpe*, col. 35, lines 13-17).

The cited reference in Marpe, however, discloses the display of search results and states "if the user conducts a search with no search criteria, all of the issues in the issues database will be listed." Accordingly, the Examiner seems to imply that a screen of search results, because they are generated by search terms, is therefore a personalized interface. Applicants respectfully assert that a screen of search results is by necessity always unique to the search term, and is not personalized according to the user's identity. Accordingly, Applicants respectfully assert that such a screen of search results is not a "personalized interface." Further, upon a reading of Marpe, Applicants do not understand Marpe to disclose any personalization according to a user's identity.

The subject application, however, clarifies at least one embodiment of a "personalized interface" within paragraph [0080] as follows: "The interface can be personalized *for the stakeholder* and greet the stakeholder with an announcement panel." *Subject application*, paragraph [0080] (emphasis added).

As Applicants believe the subject matter of dependent claim 11 pertaining to personalization is patentable over Marpe, Applicants have amended independent claim 10 to incorporate the personalized interface subject matter of claim 11. Further, dependent claim 11 has therefore been amended to remove the personalized interface subject matter.

Accordingly, Applicants respectfully assert that Marpe's disclosure of an issue report, generated as the result of a search, is not "a collaborative interface for one or more stakeholders, wherein the collaborative interface comprises at least one of a personalized merger task interface, a merger event interface, and an interface to a collaborative calendar" as claimed in Applicants' independent claim 10 as amended herein. Accordingly, Applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 10 as

Marpe fails to disclose each and every element of Applicants' claimed invention. Therefore, Applicants respectfully submit that independent claim 10 is patentable over Marpe. Further, as dependent claim 11 (as amended) properly depends upon claim 10, a patentable base claim, Applicants respectfully assert that dependent claim 11 is also patentable. Applicants respectfully request withdrawal of the § 102 rejections of claims 10 and 11.

Independent Claim 12

The Examiner has also rejected independent claim 12 and dependent claim 13 over Marpe. Dependent claim 13 contemplates "at least one of interactive polls, questionnaires, archived polls, and archived questionnaire responses." The Examiner relies on the "M&A Planning Guide" in Marpe as disclosing an interface that allows a user to review and update answers to submitted questions. *See subject action*, p. 8.

Upon a reading of Marpe, it appears to Applicants that Marpe discloses the retention of user inputs for *collaborative* purposes, but Marpe does not appear to disclose interactive polls or questionnaires, nor any archive of responses to polls or questionnaires. Specifically, regarding the M&A Planning Guide of Marpe, the full description (*Marpe*, col. 47, line 50 – col. 52, line 29) of the "M&A Planning Guide" reveals it to be exactly that: a guide. The "M&A Planning Guide" is understood by Applicants to be an interactive learning tool for people involved in or planning a merger or acquisition. Although Marpe describes it as "interactive" (*Marpe*, col. 47, line 50), Marpe does not appear to disclose any collaborative features. Accordingly, it is understood by Applicants to be 'interactive' in the sense of an electronic- or distance- learning environment wherein a user accesses pre-stored Computer Based Training (CBT) materials, is

able to select what areas of the course to view next, and may be presented with multimedia or other components that respond to (i.e., interact with) the user. *See also, Marpe*, Figure 19.

Accordingly, as Applicants believe the subject matter of dependent claim 13 pertaining to interactive polls or questionnaires is not disclosed by Marpe and is therefore patentable over Marpe, Applicants have amended independent claim 12 to incorporate the interactive polls or questionnaires subject matter of claim 13. Further, dependent claim 13 has therefore been amended to remove the corresponding subject matter.

Accordingly, Applicants respectfully assert that Marpe's retention of collaborative user inputs is not equivalent to "at least one of interactive polls, questionnaires, archived polls, and archived questionnaire responses" as claimed in Applicants' independent claim 12 as amended herein. Accordingly, Applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 12 as Marpe fails to disclose each and every element of the Applicants' claimed invention. Therefore, Applicants respectfully submit that independent claim 12 is patentable over Marpe. Further, as dependent claim 13 (as amended) properly depends upon claim 12, a patentable base claim, Applicants respectfully assert that dependent claim 13 is also patentable. Applicants respectfully request withdrawal of the § 102 rejections of claims 12 and 13.

Independent Claim 14

The Examiner has also rejected independent claim 14 over Marpe. Independent claim 14 contemplates "at least one collaboration tool ... [that] comprises at least one of chat sessions, online meetings, interactive discussions, and synchronized browsing." To show anticipation, the Examiner asserts that the particular "interactive discussions" is disclosed by Marpe.

Upon a reading of Marpe, Marpe appears to applicants to disclose some collaborative capability (e.g., users being able to create and edit "issues") and also disclose a "discussion database." Marpe does not appear to applicants to disclose any real-time interactive sessions such as chat sessions, online meetings, interactive discussions, or synchronized browsing. Accordingly, applicants have amended independent claim 14 to clarify that the interactive sessions contemplated are real-time. Specifically, applicants now claim in independent claim 14, "...wherein the collaboration tool comprises at least one of real-time chat sessions, real-time online meetings, real-time interactive discussions, and real-time synchronized browsing."

Accordingly, the applicants respectfully assert that Marpe's disclosure of collaborative capabilities does not include any real-time interactive functionality as claimed in applicants' claim 14, as amended. Accordingly, applicants respectfully assert that the teachings of Marpe fail to provide a proper basis for a 35 U.S.C. § 102(e) rejection of claim 14 as Marpe fails to disclose each and every element of the applicants' claimed invention. Therefore, applicants respectfully submit that independent claim 14 is patentable over Marpe. Further, as dependent claims 15-16 each properly depend (either directly or indirectly) upon claim 14, a patentable base claim, the applicants respectfully assert that dependent claims 15-16 are also patentable and request withdrawal of the § 102 rejections of claims 14-16.

Independent Claim 17

The Examiner has also rejected independent claim 17 over Marpe. Independent claim 17 requires "an object modeling tool, [and] a process modeling tool" which are each briefly described in paragraphs [0057] and [0058] of the subject application. The Examiner relies on

Marpe's disclosure of "economic benefit modeling" (*Marpe*, col. 53, line 53) and a system for determining the financial strategy model (*Marpe*, col. 53, line 50; *see also subject action*, p. 10).

Applicants have amended independent claim 17 to clarify the claimed object and process modeling tools.

Applicants claim (in currently amended claim 17):

17. (currently amended) A system for planning a merger of at least two organizations, the system comprising an object modeling tool, a process modeling tool, and a user interface tool, wherein the object modeling tool enables generation of new business objects, wherein the process modeling tool includes pre-configured work procedures and enables collaborative workflow, the user interface tool comprising one or more collaborative interfaces for a plurality of stakeholders. (Emphasis added).

Support for this amendment may be found in the specification as originally filed at least at paragraphs [0057] and [0058]. Upon a reading of *Marpe*, *Marpe* does not appear to Applicants to disclose an object modeling tool that enables generation of new business objects as claimed in Applicants' claim 17 (as amended) nor does *Marpe* appear to disclose a process modeling tool that includes pre-configured work procedures as claimed in Applicants' claim 17 (as amended). Specifically, although *Marpe* discloses "Industry Solution Packs" explaining key activities (*Marpe*, col. 52, line 30 – col. 53, line 30) and an "M&A Planning Guide" (*Marpe*, col. 47, line 50 – col. 52, line 29) providing interactive computer-based training (as discussed above), neither of these are understood by applicants to include "pre-configured work procedures" as claimed in Applicants' claim 17 (as amended).

Accordingly, Applicants respectfully assert that *Marpe*'s does not disclose an object modeling tool that enables generation of new business objects nor a process modeling tool that includes pre-configured work procedures as claimed in applicants' claim 17. Accordingly, applicants respectfully assert that the teachings of *Marpe* fail to provide a proper basis for a 35

U.S.C. § 102(e) rejection of claim 17 as Marpe fails to disclose each and every element of Applicants' claimed invention. Therefore, Applicants respectfully submit that independent claim 17 is patentable over Marpe. Further, as dependent claims 18-20 each properly depend upon claim 17, a patentable base claim, Applicants respectfully assert that dependent claims 18-20 are also patentable. Accordingly, Applicants respectfully request withdrawal of the § 102 rejections of claims 17-20.

Concluding Remarks

In light of the amendments and remarks herein, Applicants respectfully submit that the subject application is in condition for allowance. Applicants therefore respectfully request early allowance of the subject application.

While no additional fees are believed to be necessitated by this response, in the event that any additional fees are payable, please charge our Deposit Account No. 50-2324 as necessary.

The Examiner is invited to telephone Applicants' attorney (@ 617-305-2143) to facilitate prosecution of this application. Please apply any charges or credits to deposit account 50-2324.

Respectfully submitted,

Dated: 23 May 2008

/Brian J Colandreo/
Brian J Colandreo
Reg. No. 42,427

Holland & Knight LLP
10 St. James Avenue
Boston, MA 02116-3889
Telephone: 617-305-2143
Facsimile: 617-523-6850

5267761_v1